

0510.38 Emergency Purchase – *Post Award*

Issued October 31, 2007

SUBJECT: Emergency Purchase – Post Award

APPLICATION: Executive Branch Departments and Sub units.

PURPOSE: To specify the policies and procedures for procuring commodities and services in emergency situations. This process is mandatory for all agencies that need to make emergency purchases, and under normal conditions would go through the Purchasing Operations.

CONTACT AGENCY: Department of Management and Budget (DMB)
Business Services Administration
Purchasing Operations (PurchOps)

TELEPHONE: 517/335-0230

FAX: 517/335-0046

SUMMARY: An emergency purchase is defined as:

- 1) a purchase in an emergency situation of a commodity or service which has a value in excess of a department's delegated purchasing authority, **and**
- 2) a purchase made to protect the immediate health, safety, or welfare of individuals or property.

Emergency purchase is **not** a process to be utilized as a result of failure to begin a procurement process with adequate time to follow State purchasing policies and procedures as laid out within the Administrative Guide, and derived from Public Act 431, the Model Procurement Code of 2001 and purchasing best practices.

APPLICABLE FORMS DMB-287
MAIN Electronic Documents & Processes:
Departmental Purchase Order (PCHL2360)
CS-138, Contractual Services Request (PCHL2117)

APPROVALS: Agency & PurchOps: Internal and external approvals must be obtained and documented according to agency policies and procedures, including provisions surrounding signature authority.

PROCEDURES:

Agency:

- Obtains necessary internal department approval, which determines that an emergency exists and that a service or commodity is needed to protect individuals, property, or governmental services.
- May identify a suggested vendor to provide the commodity or service.

If the emergency occurs during regular working hours, contacts and/or forwards a request to the procurement staff for processing. This request must include the nature of the emergency, a description of the commodity or service that is needed, and the name and address of a suggested vendor if one has been identified.

If the commodity or service needed is on an existing contract, calls the contract vendor. If the contract vendor is unable to provide the commodity or service in time to address the emergency,

contacts as many vendors by phone as time permits, including the suggested vendor, to get price quotations (bids) and delivery dates/times for the service or commodity. If time does not permit, contacts the suggested vendor or a known vendor to get a price quotation and delivery dates/times. NOTE: If the emergency occurs during a weekend or after regular working hours, these tasks are performed by department program staff.

Processes and issues a Direct Purchase Order using document type EP to the suggested or known vendor who can meet the immediate needs of the agency. Enters in the electronic Note Pad of the Direct Purchase Order a description of the emergency.

Off-hours emergency purchases may be handled through a temporary increase to a procurement card limit, or an agreement with the vendor followed by a direct voucher payment of the invoice, utilizing correct emergency purchase document types and justifications. (See direct voucher and procurement card procedures 0510.17).

Notifies the State Administrative Board (see Procedure 0620.02), Department of Civil Service, and other sources, if applicable.

Purchasing Operations:

- Runs periodic reports to review emergency purchases made by agencies for appropriate use and policy compliance.

AUTHORITY: Relevant Acts:

- Public Act 431, of 1984 as amended (Governing Authority)

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